

REMARKS

Summary of the Office Action

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hatano et al. (US 6,320,629) in view of Song et al. (US 2003/0122984) and Gu et al. (US 6,359,672).

Claims 5-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakamura et al. (US 6,582,862) in view of Abileah et al. (US 5,499,126).

Claims 5-11 stand rejected under 35 U.S.C. § 112, second paragraph.

Summary of the Response to the Office Action

Applicants have canceled claims 5-11 and 17-21 without prejudice or disclaimer, and have amended claim 12. Accordingly, claims 1-4 and 12-16 are pending for consideration.

All Claims Comply with 35 U.S.C. § 112

Claims 5-11 stand rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Without acquiescing to the position that claims 5-11 are indefinite, Applicants have canceled claims 5-11 in order to advance prosecution. Accordingly, Applicants respectfully assert that the rejection of claims 5-11 under 35 U.S.C. § 112, second paragraph, is now rendered moot.

All Claims Define Allowable Subject Matter

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hatano et al. (US 6,320,629) in view of Song et al. (US 2003/0122984) and Gu et al. (US 6,359,672).

Applicants respectfully traverse this rejection for at least the following reasons.

The present application is governed under 35 U.S.C. § 103(c), and Song et al. is only proper prior art under 35 U.S.C. § 102(e) since it was published less than year before the filing date of the present application and after the date of invention for the present application. The subject matter of Song et al. and the present invention were, at the time the invention was made, commonly owned by LG.Philips LCD Co., Ltd. of Seoul, Korea. Thus, the disclosure of Song et al. cannot preclude the patentability of the present invention under 35 U.S.C. § 103(c).

For at least the above reasons, Applicants respectfully request that the rejection of claims 1-4 under 35 U.S.C. § 103(a) in view of Hatano et al., Song et al., and Gu et al. is improper since Song et al. is disqualified under 35 U.S.C. § 103(c).

Claims 5-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakamura et al. (US 6,582,862) in view of Abileah et al. (US 5,499,126). Applicants respectfully traverse this rejection as being based upon prior art references that neither teach nor suggest the novel combination of features recited by independent claim 12, and hence dependent claims 13-16.

Independent claim 12, as amended, recites a liquid crystal display device including, in part, “a compensation film at least disposed between one of the pixel electrode and the thin film transistor substrate to contact the pixel electrode.” In contrast to Applicants’ claimed invention, Nakamura et al. and Abileah et al. are both completely silent with regard to a relative disposition of a pixel electrode and any compensation film. Accordingly, Applicants respectfully assert that Nakamura et al. and Abileah et al., whether taken singly or combined, fail to teach the combination of features recited by amended independent claim 12, and hence dependent

claims 13-16. Thus, Applicants respectfully request that the rejection of claims 12-16 under 35 U.S.C. §103(a) in view of Nakamura et al. and Abileah et al. be withdrawn.

For at least the above reasons, Applicants respectfully assert that none of Hatano et al., Song et al., Gu et al., Nakamura et al., and Abileah et al., whether taken singly or in combination, teach or suggest the features of claims 1-4 and 12-16. Thus, Applicants respectfully request that the rejection of claims 1-4 and 12-16 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the foregoing, Applicants respectfully request entry of the amendments, reconsideration and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this Response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

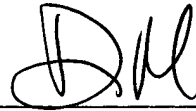
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under

37 C.F.R. § 1.136 not accounted for above, such as an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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